

Re claim 3-4 (page 7, line 10,17): Substitute "The system to play back ..." with "A system to play back ...".

## REMARKS

This amendment and response is responsive to the Office Action of 12/30/2004.

Claims 1-4 remain in the application. Claims 1-4 were corrected complied the requirement of the examiner. No new matter has been added.

## 35 U.S.C. 102 REJECTION

Claim 1-2, and 4 are rejected under 35 U.S.C.102(b) as being anticipated by Bell et al. (U.S. 5,276,472).

Bell et al. disclose a "Photographic film still camera system with audio recording". (Bell et al. [54] TITLE) In Bell's "film still camera system", "Audio to be recorded in a photographic film camera in association with individual exposed frames is first digitized and stored in a temporary storage memory in the camera allowing playback through a speaker mounted in the camera to permit playback review and editing, as needed. When the film is advanced in the camera to the next exposure frame, the digital audio signal is recorded on a magnetic layer formed on the film. At the photofinisher, the digital audio signal is read and converted to suitable encoding format, such as bar code or binary coded blister marks which are impressed on the photo print for subsequent playback." (Bell et al. [57] ABSTRACT) Therefore, Bell et al. teach us how to use a "film still camera" "to record audio" in "a magnetic layer formed on the film" when you take a picture, and "at the photofinisher" how to use a special "photo finishing apparatus including magnetic read means for reading the digital audio signal recorded on the film magnetic layer", (Bell's claim 1, Col. 6, Lines 51+) and print the audio at photo print as "bar code" or "blister marks" "for subsequent playback". (Bell's claim 1, Col. 6, Lines 55+)

In contrast, my invention is in "the personal and commercial talking photographs and pictures field". (My invention [FIELD OF THE INVENTION]) My invention teaches people how to use a "Personal Computer" to print any sound on to photograph or picture as "2-deminsional bar code" and how to use scanner or "digital camera header" to read back the "2-deminsional bar code" and play back the sound.

"Thus, with a PC, include the desktop PC, the laptop PC, the palm PC, the cellular phone, the PDA, and any other computer, plus the sound recording device, printer, and optical scanner or digital camera header, the ordinary users can record and play back their voice or song or any sound to and from their photograph; or record and play back the music to and from a scenic picture or postcard; or record and play back their greeting speech to and from their greeting card." (My invention [SUMMARY OF THE INVENTION])

In my invention, there is no need "film still camera" and special "magnetic layer" on the film to record audio, there is no need special "photo finishing apparatus" to read back audio "recorded on the film magnetic layer". My invention discloses a low cost and an easy way (using Personal Computer) to record and play back the sound, speech, music on photograph, scenic picture or greeting card. Every one can print any sound on to any photograph or picture and play back the sound using their Personal Computer at home or anywhere.

Bell et al does not show or disclose the claimed features of my invention.

Bell et al does not show or suggest using "Personal Computer".  
Withdrawal of this rejection is respectfully requested.

Bell et al. does not show or suggest using "2-dimensional barcode".  
Withdrawal of this rejection is respectfully requested.

Bell et al does not show or suggest using "digital camera".  
Withdrawal of this rejection is respectfully requested.

Re claim 1: My invention claim "The system to record sound to photograph and to play back" which using "a Personal Computer" (My claim 1 (b)(c)(d)(e)(f)(g)(h)). The "Personal Computer" is a well defined concept. A "Personal Computer" normally comprises: 1) hardware, including a CPU, a

Memory, an Internal high speed data bus, the input and output ports and a hard disk or a flash memory; 2) software, including Windows, Unix, Linux, Dos, or other Real Time Operating Systems and various application programs. As restricted in my invention, a "Personal Computer" means "the desktop PC, the laptop PC, the palm PC, the cellular phone, the PDA, and any other computer". (My invention [SUMMARY OF THE INVENTION]) Bell's invention did not use this kind "Personal Computer". Bell even did not use the word "Personal Computer" in their invention. In my invention, only using a "Personal Computer" plus a printer, users can record sound; only need a "Personal Computer" plus a scanner, users can play back the sound; or only need a digital camera users can play back the sound. This "Personal Computer" is different from the Bell's "processing circuit 24", and can not be substituted by the Bell's "processing circuit 24".

In generally, a "bar code" means "1-deminsional bar code" even at today. Bell et al never used the word "2-deminsional bar code" in his invention, and the "bar code" showed in the Bell's Fig 5 also is a 1-deminsional bar code. 1-deminsional bar code only can record no more then 20 Bytes information and can not be used to record digital audio, because even using MP3 coding technology, 1 second audio need 1000 Bytes for recording.

Re claim2: I claims a "method and program to recording sound to photograph and to play back, running in a Personal Computer "(My claim 2) and the method and program is using "2-deminsional bar code" (My claim 2 (b)(c)(d)(e)(f)).

The method and program is "running in a Personal Computer". (My claim 2) As described above, Bell has never showed or suggested a "Personal Computer", and again, Bell has never showed or suggested "2-deminsional bar code".

Re claim4: Office communication on page 4 line 10+ says, "Re claim 4: Bell disclose a system and a method, which include a digital camera 16 which be used to shoot the printed on the photograph (as shown in Fig. #2; col.3, lines 55+), a decoding program and the playing program, 2-deminsional bar code running in the digital camera to decode the said 2-deminsional barcode

and play back the sound encoded in the 2-deminsional barcode. (col.5, lines 59+; col.6, lines 1-33).”

The description of the Office communication is not truth. First, in Bell’s Fig.#2, camera 16 is a “still film camera”, not a “digital camera”. Second, Bell’s “still film camera” 16 is used to take image picture and recode audio, is not used “to shoot the printed on the photograph”. (Bell et al. [57] ABSTRACT) Instead, Bell was using “a self-contained hand-held scanner playback device independent of the said camera”...”to scan the said encoding format on the said photographic prints to generate digital audio data signals”(Bell’s claim 1, Col. 6, Lines 58+). Third, Bell et al did not mention 2-demintional barcode.

In contrast, my claim 4 claims a “digital camera”. And my “digital camera” is used to read in the “2-deminsional bar code” and decode the 2-deminsional bar code to play back the sound.

As described above, Bell did not show or suggest to use a “digital camera” to read back 2-deminsioanl bar code and to play back the sound. And once again, Bell did not show or suggest a “2-deminsional bar code”.

### 35 U.S.C. 103 REJECTION

Claim 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bell et al. (U.S. 5,276,472) in view of Roustaei et al. (U.S. 2001/0034222).

Office Communication says, “Bell et al. fails to teach a cellular phone with an embedded camera.” (page 5, line2) But, Office Communication also says “it would have been obvious ... to employ ... a cellular phone with a camera as another means of taking a picture.” (page 5, line 6+) “Moreover, such modification would have been an obvious extension as taught by Bell et al., therefore an obvious expedient.” (page 5, line14)

Different means is a different patent. 14 years ago, there was no "cellular phone with an embedded digital camera". Bell et al cannot invent, cannot show, cannot suggest this "means" to "taking picture". My Invention shows and suggests a new method to play back the sound (using a cellular phone <sup>with</sup> embedded digital camera to play back the sound). It is completely different from Bell. Withdrawal of this rejection is respectfully requested.

With regard to Roustaei et al, Roustaei et al. disclosed an "Image capture and processing accessory". (Roustaei et al [54] TITLE) This accessory can take still or motion image picture and can transmit these pictures over a limited bandwidth network when it is connected to a transceiver such as a cell phone. (Roustaei et al [57] ABSTRACT) Roustaei et al. do mentioned the still image can be 2-demisional bar code, but Roustaei's invention only capture and transmit the bar code, they do not use the bar code to record and play back sound. So Roustaei's invention is total different from my invention. Withdrawal of this rejection is respectfully requested.

### CONCLUSION

My invention shows and suggests a new, easy and low cost method to record and play back sound (using a Personal Computer to record and play back the sound). All of the claims remain in the application. Withdrawal all of rejections is respectfully requested.

Patton et al. (U.S. 5,774,752), Stephenson (U.S. 6,075,950), Adams et al. (U.S. 2002/0075464), Morohashi et al. (U.S. 2002/0081112) all did not show or suggest to use Personal Computer to record and play back sound.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 3/17/2005.

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